

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

PERMIAN BASIN PETROLEUM
ASSOCIATION. NATIONAL
CATTLEMEN’S BEEF ASSOCIATION,
TEXAS CATTLE FEEDER’S ASSOCIATION,
KANSAS LIVESTOCK ASSOCIATION,
OKLAHOMA CATTLEMEN’S
ASSOCIATION, AND NEW MEXICO
CATTLE GROWER’S ASSOCIATION,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE INTERIOR;
U.S. FISH AND WILDLIFE SERVICE;
DEBRA HAALAND, in her official capacity as
SECRETARY OF THE INTERIOR;
MARTHA WILLIAMS, in her official capacity
as DIRECTOR OF THE U.S. FISH AND
WILDLIFE SERVICE,

Defendants.

Civil Action No. 7:23-cv-49

DECLARATION OF DANIEL GINTER

I, Daniel Ginter declare as follows:

1. I am over the age of 18 and competent to make this declaration. The statements made herein are based upon my personal knowledge and experience.

2. I am a member of the Center for Biological Diversity (“the Center”). I rely upon the Center to represent my interests in a variety of forums, including legal action.

3. Through the Center I am a huge advocate for the protection of wildlife, human health, and natural resources through the preservation of the environment and biodiversity. I rely

on the Center to represent my interests in maintaining the natural environment and resources, including the sustainability of wildlife.

4. I currently reside in Albuquerque, New Mexico. I have been a resident of New Mexico since 2011.

5. I am the range program manager at Santa Ana's Department of Natural Resources. My duties are similar to a biologist or ecologist. For my work, I spend a lot of time outdoors studying and observing species. I have been in this field since 2003 but have been working in the field of natural sciences since 1998.

6. Additionally, I am an avid birder. Wherever I am, whether it is work or vacation, I am always looking for birds to observe.

7. I have been birding in several states across the U.S., including Texas. My favorite places to look for birds National Wildlife Refuges, National Parks, and Nature Conservancy properties across the United States. Some of the areas I have been birding are along the coast of Southeast Texas (Aransas National Wildlife Refuge, Padre Island National Seashore, Laguna Atascosa National Wildlife Refuge, Southeastern Arizona (Ramsey canyon preserve, Chihuahua Mts and Patagonia-Sonoita creek Preserve) the California coast (Point Reyes national Seashore, Pinnacles National Park), Bosque Del Apache National Wildlife Refuge, Big Bend National Park, Glacier National Park, and Yellowstone National Park.

8. In my experience, there are a lot of farm fields/agriculture in the lesser prairie chicken's habitat which makes it very difficult to go birding there. As a birder, my primary interest is seeing birds in their natural habitat.

9. I've traveled through lesser prairie chicken habitat in New Mexico several times while birding. While I have always hoped to see a lesser prairie chicken one day, I have never seen one and don't believe I will ever see one due to their dwindling population and habitat.

10. In my opinion, it is very sad and nearly depressing to think of how willing we are to bulldoze over a species. If the lesser prairie-chicken loses its habitat here in the U.S., it's gone.

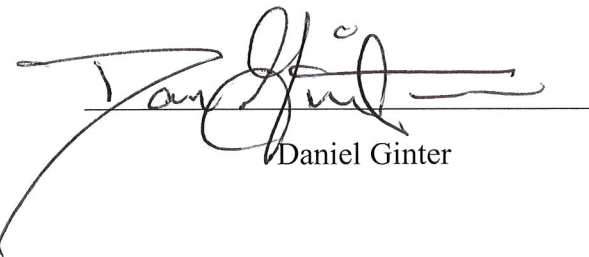
11. Habitat loss for the lesser prairie chicken is very concerning. I believe that oil and gas and cattle grazing could lead to the lesser prairie chicken's extinction.

12. It brings me some relief knowing that the species has Endangered Species Act (ESA) protections, and we are doing all that we can to protect the species. As a birder and natural resources professional, it's good to know the bird has some chance of survival.

13. Removal of the species' federal ESA protection would harm my professional and recreational interests because I know my chances of seeing the bird would grow even slimmer as well as the likelihood of the species continued survival.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 3 2023 in Albuquerque, New Mexico



Daniel Ginter